

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Treasurer/Tax Collector/Public Administrator	(2) MEETING DATE 12/17/2013	(3) CONTACT/PHONE Lori Guidotti, (805) 781-5840 Gordon Eiland, (805) 781-5848	
(4) SUBJECT Request to approve an agreement (Clerk's File) to purchase tax-defaulted land, sale number 230 – County of San Luis Obispo General Services Agency.			
(5) RECOMMENDED ACTION The Tax Collector respectfully requests that your Honorable Board review, approve, and authorize the Chairperson to sign the attached sale agreement entitled, "Agreement to Purchase Tax-Defaulted Property," at the price stated therein.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached with Agreement	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 2			

County of San Luis Obispo



TO: Honorable Board of Supervisors

FROM: James P. Erb, CPA
Auditor, Controller, Treasurer, Tax Collector

DATE: December 17, 2013

SUBJECT: Request to approve an agreement (Clerk's File) to purchase tax-defaulted land, sale number 230 – County of San Luis Obispo General Services Agency.

RECOMMENDATION

The Tax Collector respectfully requests that your Honorable Board review, approve, and authorize the Chairperson to sign the attached sale agreement entitled, "Agreement to Purchase Tax-Defaulted Property," at the price stated therein.

DISCUSSION

California Revenue and Taxation Code (R&T Code), Division 1, Part 6, Chapter 8 requires the Tax Collector to offer for sale, property which has become subject to sale by reason of nonpayment of taxes for more than five years. The Tax Collector may sell any of these parcels to the State, the County, any taxing agency or revenue district, or certain qualifying nonprofit organizations for the purpose of public use. The "Agreement to Purchase Tax-Defaulted Property" (Chapter 8 Agreement) must first be approved by the Board of Supervisors and then reviewed and approved by the State Controller.

Pursuant to the R&T Code, the County of San Luis Obispo General Services Agency has agreed to purchase eighteen (18) parcels, for the purpose of public use. The eighteen (18) parcels are located in the Cayucos "Hillside" area. The stated purpose of public use for each property is "Open space - land bank." The parcels are listed by assessment number in "Exhibit A" of the purchase agreement. A copy of the Notice of Power to Sell Tax-Defaulted Property and a parcel map for each of the properties is included in "Exhibit B."

Before the sale can become final, the State Controller's Office must review and approve the sale, and parties of interest must be properly notified. The lead times required for these steps mandate that your Board approve the agreement well in advance of the May 8, 2014 sale date.

Prior to sale, efforts are made to notify the property owners and collect the defaulted taxes, as required by law. Once the agreement is approved and signed by the State Controller, notices of sale are sent by certified mail to the owners of record and any party of interest.

Individual properties can be redeemed until 5:00 p.m. on May 7, 2014, which is the last business day prior to the sale.

OTHER AGENCY INVOLVEMENT

The sale agreement has been signed by the purchasing entity, the County of San Luis Obispo General Services Agency, and together with this transmittal memorandum has been approved as to form and legal effect by County Counsel. After the Chapter 8 Agreement is approved and signed by the Board of Supervisors, the agreement will be forwarded to the State Controller's Office for final review and approval.

FINANCIAL CONSIDERATIONS

The California R&T Code requires that the minimum bid include the following:

- All defaulted taxes, assessments, associated penalties
- Redemption penalties and fees incurred through the month of the sale
- All other costs of the sale

The proceeds from the sale of the subject parcels will be available to reimburse the costs of the sale and the loss of prior taxes to the extent possible based on the sale price. The total purchase price for the properties offered in the sale agreement is **\$24,800.00**.

RESULTS

This Board action will authorize the sale of five year tax-defaulted property, which is required by statute.

Approval of this resolution will further the County's goals of a "Livable and Prosperous Community" by ensuring that the properties are re-purposed for public use and that the delinquent taxes are paid.

ATTACHMENTS

1. Agreement (Clerk's File) to Purchase Tax-Defaulted Land, Sale #230